

Judith A. Archer
Sarah E. O'Connell
David B. Schwartz
NORTON ROSE FULBRIGHT US LLP
666 Fifth Avenue
New York, NY 10103
Tel.: (212) 318-3000
Fax: (212) 318-3400
judith.archer@nortonrosefulbright.com
sarah.oconnell@nortonrosefulbright.com
david.schwartz@nortonrosefulbright.com

*Attorneys for Ralph C. Dawson, as Receiver for
Defendant Ascot Partners, L.P., and Ascot Fund
Ltd.*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:	X	Adv. Proc. No. 08-01789 (SMB)
BERNARD L. MADOFF INVESTMENT SECURITIES LLC,	:	SIPA LIQUIDATION
	:	(Substantively Consolidated)
Debtor.	:	
-----	:	
PERTAINS TO THE FOLLOWING CASE:	:	
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,	:	
	:	
Plaintiff,	:	Adv. Proc. No. 09-1182 (SMB)
-v-	:	
J. EZRA MERKIN, GABRIEL CAPITAL, L.P., ARIEL FUND LTD., ASCOT PARTNERS, L.P., ASCOT FUND LTD., GABRIEL CAPITAL CORPORATION,	:	
	:	
Defendants.	:	
-----	:	
	X	

**NOTICE OF MOTION IN LIMINE TO EXCLUDE
THE EXPERT TESTIMONY OF AMY B. HIRSCH**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion *in Limine* to Exclude the Expert Testimony of Amy B. Hirsch, the Declaration of Judith A. Archer, dated April 7, 2017, and the exhibits thereto, and all pleadings, papers and proceedings filed in this action, Defendants Ascot Partners, L.P., through its Receiver, Ralph C. Dawson, Ascot Fund Ltd., J. Ezra Merkin and Gabriel Capital Corporation, shall move this Court for an Order excluding the expert testimony of Amy B. Hirsch pursuant to Federal Rules of Evidence 402, 403 and 702, made applicable to this adversary proceeding by Federal Rule of Bankruptcy Procedure 9017.

PLEASE TAKE FURTHER NOTICE that a hearing on the Motion will be held before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at a date and time as scheduled by the Court, at the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004-1408.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, to the Motion shall be filed with the Bankruptcy Court no later than May 10, 2017, and reply papers, if any, shall be filed with the Bankruptcy Court no later than June 6, 2017.

Dated: April 7, 2017
New York, New York

NORTON ROSE FULBRIGHT US LLP

By: /s/ Judith A. Archer

Judith A. Archer

Sarah E. O'Connell

David B. Schwartz

666 Fifth Avenue

New York, New York 10103

Tel. No.: (212) 318-3000

Fax No.: (212) 318-3400

judith.archer@nortonrosefulbright.com

sarah.oconnell@nortonrosefulbright.com

david.schwartz@nortonrosefulbright.com

*Attorneys for Ralph C. Dawson, as Receiver for
Defendant Ascot Partners, L.P., and Ascot Fund Ltd.*

DECHERT LLP

By: /s/ Neil A. Steiner

Andrew J. Levander

Neil A. Steiner

Daphne T. Ha

Mariel R. Bronen

1095 Avenue of the Americas

New York, New York 10036

(212) 698-3500

andrew.levander@dechert.com

neil.steiner@dechert.com

daphne.ha@dechert.com

mariel.bronen@dechert.com

*Attorneys for Defendants J. Ezra Merkin and
Gabriel Capital Corporation*